HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.18015 of 1997

Dated 29th day of January, 2007

Between:

The Andhra Pradesh Small Scale Industries Owners Welfare Association (Registration No.4781/93), Industrial Estate, Warangal, rep. by its President B. Surya Prakash, S/o.Kailasam, Warangal and 4 others

.. Petitioners

And

The Andhra Pradesh Small Scale Industrial Development Corporation Ltd., rep. by its Vice Chairman & Managing Director and another

.. Respondents

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O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in not following the seniority of registration or priority for allotment of sheds for establishment of Industries in the Craftsman Guild, Industrial Estate, Warangal in pursuance of the proceedings of the 2nd respondent CGM/Allotment/94, dated 1.7.1997, as illegal, arbitrary and void.

The brief facts of the case are that the 2nd petitioner is running a Small Scale Industrial Unit in Warangal by manufacturing steel furniture, etc. and the petitioners 3 to 5 are new entrepreneurs. Petitioners 2 to 5, got registered their names with the District Industries Centre, Warangal and also with the Andhra Pradesh Small Scale Industrial Development Corporation at Warangal. Their applications to the 2nd respondent for allotment of sheds and land, have not been considered. Thereafter, the 2nd respondent issued allotment order in CGM/Allotment/94, dated 1.7.1997 informing that the applications of the petitioners 2 to 5 are under process. The order further reads that vacant sheds will be given only on rental basis. According to clause (2) of the terms and conditions of the order, applications of those, who are ready to pay the over dues amounting to Rs.12,000/- to Rs.20,000/-, will only be considered. Questioning the impugned proceedings of the 2nd respondent dated 1.7.1997, petitioners 1 to 4 filed W.P.No.15517 of 1997 and this Court was pleased to pass

interim order in W.P.M.P.No.18802 of 1997 directing the 2nd respondent not to collect over dues/rental arrears on the vacant sheds, which were allotted to the members of the 1st petitioner-Association. Meanwhile, the 2nd respondent, with a *mala fide* intention allotted the vacant sheds to some other persons than the writ petitioners 2 to 5 herein ignoring the seniority of registration for allotment of the sheds, etc.

Heard the learned counsel for both the parties.

Having regard to the fact that the petitioners-Association issued notices/representations to the 2nd respondent on 24.12.1994 and 21.7.1997 respectively, this Court deems it appropriate to direct the 2nd respondent to consider their notices/representations and pass appropriate orders in accordance with law, if they are not yet considered.

With the above direction, the writ petition is disposed of. No costs.

29.01.2007
bcj